

Message Text

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UNCLAS CAPE TOWN 0577

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TAGS: SF,PINT

SUB: NEW ANTI-SQUATTING LEGISLATION

REF: CAPE TOWN A-17

1.SUMMARY:DEBATE ON NEW LEGISLATION AIMED TO ELIMINATE ILLEGAL SHANTYTOWNS HAS TAKEN BACK SEAT IN PUBLIC ATTENTION TO CONFLICT OVER SECURITY LEGISLATION. NEVERTHELESS,BILL IS OF CONSIDERABLE LONG-RANGE IMPORTANCE TO SOUTH AFRICA. SQUATTING PROBLEM PARTICULARLY VISIBLE AMONG COLOREDS IN CAPE TOWN AREA, BUT EQUALLY GRAVE AMONG AFRICANS ELSEWHERE IN COUNTRY. END SUMMARY.

2. MAJOR PROVISIONS OF PREVENTION OF ILLEGAL SQUATTING AMENDMENT BILL WOULD PROHIBIT LAND OWNERS FROM ALLOWING SQUATTING ON THEIR PROPERTY,WOULD PROVIDE FOR IMMEDIATE DEMOLITION WITHOUT COURT ORDER OF SHANTIES AND WOULD, IN CERTAIN CASES, FORCE EMPLOYERS TO PROVE HOUSING AVAILABLE FOR NEW LABORERS.

3. BILL HAS BEEN FIERCELY ATTACKED BY PARLIAMENTARY OPPOSITION AND BY CHURCH AND COLORED GROUPS. LEGAL PENALTIES FOR LAND OWNERS GENERALLY NOT CRITICIZED AS IT KNOWN THAT MANY UNSCRUPULOUS WHITES, AND IN SOME CASES

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COLOREDS AND AFRICANS, MAKING HEAVY PROFIT OUT OF MISERY

OF SQUATTERS. MORE OBJECTIONABLE IS ELIMINATION OF NEED FOR COURT ORDERS TO DEMOLISH SHANTY STRUCTURES. (EMBOFF HAS PREVIOUSLY ATTENDED HEARING IN WHICH CAPE SUPREME COURT PREVENTED LOCAL ADMINISTRATION FROM DEMOLISHING SHANTIES BECAUSE OF LEGAL TECHNICALITIES RELATING TO COURT ORDERS. SUCH LEGAL CASES AND PROTECTION THEY HAVE AFFORDED TO SQUATTERS WILL BECOME THING OF PAST.)

4. MOST OBJECTIONABLE TO BILL'S OPPONENTS IS ITS PROVISION AUTHORIZING MINISTER OF COMMUNITY DEVELOPMENT, AFTER CONSULTATION WITH LOCAL AUTHORITIES, TO DECLARE THAT EMPLOYERS IN GIVEN AREA MAY NOT INTRODUCE ADDITIONAL MEMBERS OF PARTICULAR "POPULATION GROUP", WITHOUT PROVIDING EVIDENCE THAT HOUSING WILL BE PROVIDED. COLORED LEADERS ARGUE THAT THIS WILL AMOUNT TO INFLUX CONTROL ON COLOREDS, AS AFRICAN MOVEMENT ALREADY THEORETICALLY TIGHTLY CONTROLLED BY PASY LAWS. BASIC OPPOSITION TO BILL HAS BEEN THAT GOVERNMENT ATTACKING MNIFESTATION OF PROBLEM BUT NOT ITS ROOTS WHICH IS LACK OF LOW-COST HOUSING. OPPONENTS FURTHER ARGUE THAT GOVERNMENT'S OWN RACIAL POLICIES, AS EMBODIED IN GROUP AREAS ACT AND IN CONSCIOUS DECISION TO LIMIT HOUSING FOR URBAN AFRICANS. E.G. NO NEW HOUSING FOR AFRICAN FAMILIES HAS BEEN BUILT IN CAPE TOWN AREA SINCE 1965-- ARE MAJOR CONTRIBUTORY CAUSES OF PROBLEM. GOVERNMENT RESPONDS THAT IT HAS MADE GREAT PROGRESS IN HOUSING AREA, HAS APPROVED IN PRINCIPLE POSSIBILITY OF FOREIGN FUNDING FOR HOUSING PROJECTS AND IS MOVING AS FAST AS BUDGET WILL ALLOW.

5. SQUATTING PROBLEM MOST VISIBLE IN CAPE TOWN AREA (REPAIR). ESTIMATES ARE THAT UP TO 250,000 INDIVIDUALS ARE LIVING AS SHANTYTOWN DWELLERS OR OTHER TYPES OF ILLEGAL SQUATTERS. MOST ARE COLOREDS WHO HAVE BEEN "GROUP AREA-ED" OUT OF PREVIOUS HOMES OR, MORE COMMONLY, HAVE LEFT COUNTRYSIDE IN SEARCH FOR URBAN JOBS. LARGE PROPORTION OF SHANTYTOWN DWELLERS ARE AFRICAN WOMEN AND CHILDREN WHO HAVE COME TO CAPE TOWN "ILLEGALLY" TO JOIN HUSBANDS WHO ARE WORKING AS CONTRACT LABORERS. IN ADDITION TO THOSE LIVING IN SHANTIES, LARGE NUMBER OF "HIDDEN SQUATTERS" ARE SHARING RESIDENCES IN AFRICAN TOWNSHIPS WITH UNCLASSIFIED

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LEGAL RESIDENTS. THIS HAD LED SOME TO ESTIMATE THAT CAPE TOWN'S TRUE AFRICAN POPULATION MORE THAN TRIPLE ITS "LEGAL" POPULATION OF ABOUT 1,000,000. SQUATTER PROBLEMS AS PREVALENT OR WORSE ELSEWHERE IN COUNTRY. FOR INSTANCE STINKWATER AND WINTERVELD REGIONS, APPROXIMATELY 30 MILES NORTH OF PRETORIA, BUT WITHIN BOUNDARIES OF BOPHUTHATSWANA HOMELAND AND THUS NOT OFFICIALLY CONCERN OF SAG, PROBABLY ACCOMMODATE APPROXIMATELY 3,000,000 OR

MORE AFRICANS LIVING IN SHANTYTOWNS.

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